

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

JUL 06 2015


Clerk

UNITED STATES OF AMERICA, CR 14-50118

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

LESLIE CLELL THOMAS,

Defendant.

The undersigned parties stipulate that the following facts are true and establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):

On October 23, 2014, Detective Kelvin Masur of the Rapid City Police Department, and a member of the South Dakota Internet Crimes Against Children Taskforce (ICAC), placed an ad on Craigslist.com in the "casual encounter" section. The ad read "Looking for Rapid City friends (Rapid City)." In the body of the ad it read, "I'm a younger girl looking to make new Rapid City friends. I'm new to the area and I don't have a lot of friends around here. If you wanna hang out sometime send me a picture and an email." The Defendant, Leslie Thomas (DOB x/xx/78), answered the advertisement in the morning hours of October 24, 2014. The Defendant sent Detective Masur three photographs of himself. The photographs did not depict nudity.

Detective Masur's first response to the Defendant was "My name is Jenn. Im 15 in Rapid, I like hiking and skating, you?" During the ongoing

conversation, Detective Masur told the Defendant that “she” attended Central High School and the Defendant told Detective Masur he was 22 years old. The Defendant also wrote about providing naked pictures of himself to “Jenn” and about having a sexual conversation and asked if “Jenn” wanted to talk about sex. The Defendant then had a very sexually explicit conversation, including details of the sexual activities he wished to engage in with the minor.

On October 27, 2014, the Defendant asked “Jenn” for her picture. Detective Masur sent the Defendant an age-regressed photograph depicting a female subject who looked like she was around the age of 15. Later that day he requested that “Jenn” send him nude photographs of her. The conversation proceeded into October 29, 2014, when the Defendant and “Jenn” spoke about meeting for the purpose of engaging in sexual acts.

On October 28, 2014, the Defendant sent “Jenn” photographs depicting his penis and the Defendant again asked “Jenn” to send him nude photographs of her. On October 30, 2014, the Defendant made plans with “Jenn” to meet at the Circle S parking lot in Rapid City, South Dakota. They planned for the Defendant to pick up “Jenn” around 12:15 p.m. and take her to his apartment to engage in sexual acts.

On October 31, 2014, the Defendant arrived at the meeting place at the previously arranged meeting time and was arrested by law enforcement. During an interview with law enforcement, the Defendant admitted it was him engaging in chats with “Jenn” and he admitted he believed her to be 15 years old. He also admitted he would have had sex with her and that he knew it was

wrong and illegal. The Defendant further acknowledged that he sent the images of his penis to persuade, induce, or entice "Jenn" to engage in prohibited sexual conduct.

RANDOLPH J. SEILER
Acting United States Attorney

7/31/15

Date

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6/30/15

Date

LESLIE CLELL THOMAS
Defendant

6/30/15

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